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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 DARNELL MCGARY,

11 Plaintiff,

12 v.

13 RONALD CULPEPPER et al.,

14 Defendants

CASE NO. C05-5376-RBL-JRC

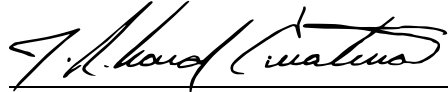
ORDER GRANTING PLAINTIFF'S  
MOTION TO CONTINUE

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16 This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate  
17 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,  
18 MJR 3, and MJR 4. Plaintiff asks the Court to continue a motion for summary judgment until  
19 plaintiff's counsel has had a chance to complete discovery (ECF No. 158).

20 When this action was remanded from the Ninth Circuit the Court entered a scheduling  
21 order (ECF No. 146). That order gave the parties four months, until September 30, 2011, to  
22 conduct discovery. The parties stipulated to extend the deadline and agreed to a discovery cutoff  
23 of March 30, 2012 (ECF No. 153). The motion for summary judgment filed in December would  
24 not allow the parties the benefit of the stipulation. The motion for a continuance is granted.

1       Discovery in this action will end on March 30, 2012. The defendant's motion for  
2 summary judgment, (ECF No. 157) is re-noted for April 27, 2012. The response to the motion  
3 will be due on or before April 20, 2012.

4       Dated this 19<sup>th</sup> day of December, 2011.

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7       J. Richard Creatura  
8       United States Magistrate Judge  
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